

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>PHOENIX EAST ASSOCIATION, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION 22-0495-WS-B</b>
	)	
<b>WESTCHESTER SURPLUS LINES</b>	)	
<b>INSURANCE COMPANY, etc.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

The parties announced a full settlement of this action on May 24, 2024. (Doc. 80). The parties further announced that the terms of the settlement would be accomplished within thirty days. (*Id.*). Neither then nor at any time subsequent did the parties represent that their settlement agreement had not been reduced to an executed writing. Nor did the parties comply with the Court's order to signify, no later than June 28, 2024, that the terms of the settlement had been fully accomplished. (Doc. 81).

For the reasons set forth above, this action is **dismissed with prejudice** from the active docket of the Court, provided that any party may reinstate the action within thirty days from the date of entry of this order if, and only if, the document or documents setting forth the terms of the parties' settlement agreement have not been executed.

No further order shall be forthcoming from the Court except upon application by any party for final judgment as prescribed by Federal Rule of Civil Procedure 58.

DONE and ORDERED this 8<sup>th</sup> day of July, 2024.

s/ WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE